



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

PAM SLATER-PRICE  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** September 6, 2011

**TO:** Board of Supervisors

**SUBJECT:** 2011 SUPERVISORIAL REDISTRICTING ALTERNATIVES (DISTRICT: ALL)

**01**

### SUMMARY:

#### Overview

This September 6, 2011, special meeting of the Board of Supervisors is a public hearing on proposed redistricting plans required by Elections Code § 21500.1. There are three plans for consideration: (1) Board of Supervisors ("BOS") Proposed Plan 5-7, (2) BOS Proposed Plan A, and (3) BOS Proposed Plan B.

BOS Proposed Plan 5-7 has already been considered at a June 28, 2011 (8) public hearing and as a proposed ordinance on August 2, 2011 (11). Proposed Plans A and B have been developed by staff pursuant to your Board's August 2 direction that staff return today with one or more redistricting plan alternatives that maintain the elements of BOS Proposed Plan 5-7 while creating a District One where Hispanics and African-Americans constitute a majority of the citizen's voting age population.

#### Recommendation(s)

##### CHIEF ADMINISTRATIVE OFFICER

1. Select the Board of Supervisors Proposed Plan 5-7 as presented on August 2, 2011 (11), or
2. Select BOS Proposed Plan A (Attachment A) as the Board of Supervisors redistricting plan, or
3. Select BOS Proposed Plan B (Attachment B) as the Board of Supervisors redistricting plan.
4. Direct the Chief Administrative Officer and County Counsel to return to the Board of Supervisors on September 13, 2011 for consideration of whether to approve or defeat the selected proposed plan and, if approved, introduction of an ordinance based on the selected and approved plan. |

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**Fiscal Impact**

There is no fiscal impact associated with these recommendations. No additional staff years are required.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**BACKGROUND:**

On June 28, 2011 (8), your Board of Supervisors conducted a public hearing and directed staff to prepare an ordinance based on Board of Supervisors Proposed Redistricting Plan 5-7 ("BOS Proposed Plan 5-7"). Your Board also directed staff to evaluate the ACLU's proposed redistricting plan and the ACLU's claim that BOS Proposed Plan 5-7, if adopted, would violate the Voting Rights Act because it did not create a district where Hispanics and African-Americans constituted a majority of the citizens voting age population ("CVAP").

On August 2, 2011 (11), staff returned with the requested ordinance based on BOS Proposed Plan 5-7. Staff reported that BOS Proposed Plan 5-7 would survive a legal challenge under the Voting Rights Act. Staff also reported that it believed a "majority-minority" district could be created while preserving most of BOS Proposed Plan 5-7.

Your Board directed staff to develop one or more alternative redistricting plans that would maintain the character of the work performed by the Redistricting Advisory Committee, respect public input and preserve the communities of interest reflected in BOS Proposed Plan 5-7, and create a "majority-minority" district in which there is a combined Hispanic and African-American majority CVAP. Your Board further directed that a special meeting of the Board of Supervisors be held on September 6, 2011 at 2:00 p.m. in order to conduct the public hearing on any alternative plans developed by staff as required by Elections Code § 21500.1.

On August 15, 2011, the ACLU submitted a new plan that, according to the ACLU, was the result of hearing additional public input at the August 2, 2011 Board of Supervisors meeting. Staff took the ACLU's New Plan into consideration along with your Board's direction and developed two alternative plans. The ACLU's New Plan and the new alternative plans are briefly described below and detailed in Attachments A, B and C. Further details will be provided at the September 6, 2011 public hearing.

**The ACLU's New Plan (Attachment C)**

The ACLU advised that its New Plan was intended to acknowledge the considerable public input from Coronado residents who wanted to stay in District One and City Heights residents who wanted to stay in District Four. Thus, the ACLU's New Plan assigns Coronado to District One, City Heights to District Four, and portions of Mountain View and Lincoln Park to District One.

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The ACLU'S New Plan also puts a large portion of Spring Valley in District One. The rest of the ACLU'S New Plan remains unchanged. The ACLU'S New Plan yields a 52.86% Hispanic and African-American majority CVAP in District One. Demographics are from the Statewide Database ("SWDB").

ACLU NEW PLAN (SWDB)					
District	Population	Deviation	Hispanic%	African-American%	Hispanic+African-American%
1	610,184	-1.43%	44.78%	8.08%	52.86%
2	630,856	+1.90%	11.98%	3.44%	15.42%
3	623,811	+0.76%	8.18%	1.83%	10.01%
4	611,930	-1.15%	18.47%	10.17%	28.64%
5	618,532	-0.08%	20.92%	3.69%	23.98%

Total deviation is 3.34%, i.e., the range between the districts with the greatest deviations above and below the ideal population of 619,063.

**BOS Proposed Plan A (Attachment A)**

As directed by your Board on August 2, 2011, BOS Proposed Plan A was developed based on BOS Proposed Plan 5-7. All the changes occur along the boundary between District One and District Four. Assigned to District Four are portions of Point Loma including Loma Portal, most of Downtown San Diego, City Heights and the Chollas View and Lincoln Park areas south of SR-94, east of I-805 and west of Euclid Avenue. North and South Encanto remain in District Four. Skyline, Lomita, North and South Bay Terraces and Paradise Hills are assigned to District One. Recognizing the community of interest in the San Diego Bay and its immediate environs, Coronado, the Bay, the waterfront and a portion of Point Loma remain in District One.

BOS PROPOSED PLAN A (SWDB)					
District	Population	Deviation	Hispanic%	African-American%	Hispanic+African-American%
1	623,054	0.64%	42.89%	8.42%	51.31%
2	620,881	+0.29%	14.85%	4.75%	19.60%
3	618,461	-0.10%	10.92%	2.67%	13.59%
4	612,925	-0.99%	15.49%	7.68%	22.57%
5	619,992	+0.15%	17.42%	3.28%	20.70%

Total deviation is 1.64%.

**BOS Proposed Plan B (Attachment B)**

BOS Proposed Plan B was also developed based on BOS Proposed Plan 5-7. In Plan B, District One includes a 52.10% Hispanic and African-American CVAP majority. Geographically, Plan B differs from Plan A in that the southernmost part of District Four shifts to the east. Accordingly,

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the Chollas View and Lincoln Park areas are assigned to District One instead of District Four, North and South Encanto remain District Four, and Skyline, Lomita and North Bay Terraces are assigned to District Four rather than District One.

BOS PROPOSED PLAN B (SWDB)					
District	Population	Deviation	Hispanic%	African-American%	Hispanic+African-American%
1	613,984	-0.82%	43.41%	8.69%	52.10%
2	620,881	+0.29%	14.85%	4.75%	19.60%
3	618,461	-0.10%	10.92%	2.67%	13.59%
4	621,995	+0.47%	15.60%	7.49%	23.09%
5	619,992	+0.15%	17.42%	3.28%	20.70%

Total deviation is 1.29%.


#### **Adoption of a Redistricting Ordinance**

As noted, Elections Code § 21500.1 requires a public hearing on any redistricting proposal before the meeting at which your Board votes on an ordinance implementing the redistricting proposal. Today's meeting fulfills that requirement. If approved, today's recommendations direct the Chief Administrative Officer and County Counsel to draft a redistricting ordinance based on one of the redistricting plans presented today, with minor modifications if directed, and to return on September 13, 2011 with an ordinance based on that redistricting plan. At that time, your Board will consider introduction (first reading) of a redistricting ordinance. If approved, adoption of the redistricting ordinance (second reading) is anticipated on September 27, 2011.

#### **Linkage to the County of San Diego Strategic Plan**

The proposed actions support the Required Discipline of Accountability, Transparency and Ethical Conduct in the County of San Diego's 2011-16 Strategic Plan by implementing a redistricting plan in compliance with all legal requirements.

Respectfully submitted,

  
for **WALTER F. EKARD**  
Chief Administrative Officer

#### **ATTACHMENT(S)**

- A. BOS Proposed Plan A Demographic Data and Plan
- B. BOS Proposed Plan B Demographic Data and Plan
- C. ACLU New Plan Demographic Data and Plan
- D. Public Comments Received

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**      ☐      Yes    ☒    No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
☐      Yes    ☒    No

**PREVIOUS RELEVANT BOARD ACTIONS:**

August 2, 2011 (11) Consideration and Adoption of Redistricting Ordinance  
July 12, 2011 (4) Consideration and Adoption of Redistricting Ordinance  
June 28, 2011 (8) 2011 Supervisorial Redistricting  
January 25, 2011 (12) Redistricting San Diego County Supervisorial Districts  
December 7, 2010 (17) Establishing a Redistricting Process

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION  
NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Community Services Group

**OTHER CONCURRENCE(S):**    N/A

**CONTACT PERSON(S):**

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**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

**COUNTY COUNSEL REVIEW**

Written Disclosure per County Charter  
Section 1000.1 Required

☒ Yes

☐ Yes

☒ No

**GROUP/AGENCY FINANCE DIRECTOR**

☒ Yes

☐ N/A

**CHIEF FINANCIAL OFFICER**

Requires Four Votes

☒ Yes

☐ Yes

☐ N/A

☒ No

**GROUP/AGENCY INFORMATION  
TECHNOLOGY DIRECTOR**

☐ Yes

☒ N/A

**COUNTY TECHNOLOGY OFFICE**

☐ Yes

☒ N/A

**GROUP/AGENCY HUMAN RESOURCES  
DIRECTOR**

☐ Yes

☒ N/A

**DEPARTMENT OF HUMAN RESOURCES**

☐ Yes

☒ N/A

**Other Concurrence(s):** N/A

**ORIGINATING DEPARTMENT:** Community Services Group

**CONTACT PERSON(S):**

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**AUTHORIZED REPRESENTATIVE:**

Mikel Haas, Deputy Chief Administrative Officer  
Community Services Group